

AMENDED IN ASSEMBLY MARCH 26, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 745

Introduced by Assembly Member Goldberg

February 19, 2003

An act to add Sections 1210, 35032.5, and 72427 to the Education Code, relating to local educational agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 745, as amended, Goldberg. Local educational agencies: officers.

The California Constitution provides for the election or appointment of a superintendent of schools for each county and requires the county board of education to establish the salary of the county superintendent of schools. Existing law authorizes the governing board of a school district employing 8 or more teachers to employ a district superintendent. Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of local community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state.

This bill would require a county board of education, the governing board of a school district, and the governing board of a community college district to annually report all compensation received by a county superintendent of schools, district superintendent of schools, and president of a community college, respectively, *and other personnel*

who report directly to those persons, thus imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1210 is added to the Education Code, to
2 read:

3 1210. A county board of education shall, at an annual public
4 meeting, report all compensation received by the county
5 superintendent of schools *and all personnel with management,*
6 *policy-making, and advisory responsibilities, who report directly*
7 *to the county superintendent of schools.* The report shall be an
8 itemized accounting of all monetary and nonmonetary
9 compensation, and shall include, but not be limited to, salary,
10 stipends, health and welfare benefits, retirement benefits, expense
11 accounts, car allowances, housing assistance, and deferred
12 compensation.

13 SEC. 2. Section 35032.5 is added to the Education Code, to
14 read:

15 35032.5. The governing board of a school district shall, at an
16 annual public meeting, report all compensation received by the
17 district superintendent of schools *and all personnel with*
18 *management, policy-making, and advisory responsibilities, who*
19 *report directly to the district superintendent of schools.* The report
20 shall be an itemized accounting of all monetary and nonmonetary
21 compensation, and shall include, but not be limited to, salary,
22 stipends, health and welfare benefits, retirement benefits, expense

1 accounts, car allowances, housing assistance, and deferred
2 compensation.

3 SEC. 3. Section 72427 is added to the Education Code, to
4 read:

5 72427. The governing board of a community college district
6 shall, at an annual public meeting, report all compensation
7 received by each campus president employed in the district *and all*
8 *personnel with management, policy-making, and advisory*
9 *responsibilities, who report directly to the campus president.* The
10 report shall be an itemized accounting of all monetary and
11 nonmonetary compensation, and shall include, but not be limited
12 to, salary, stipends, health and welfare benefits, retirement
13 benefits, expense accounts, car allowances, housing assistance,
14 and deferred compensation.

15 SEC. 4. Notwithstanding Section 17610 of the Government
16 Code, if the Commission on State Mandates determines that this
17 act contains costs mandated by the state, reimbursement to local
18 agencies and school districts for those costs shall be made pursuant
19 to Part 7 (commencing with Section 17500) of Division 4 of Title
20 2 of the Government Code. If the statewide cost of the claim for
21 reimbursement does not exceed one million dollars (\$1,000,000),
22 reimbursement shall be made from the State Mandates Claims
23 Fund.

